

REMARKS

With entry of the present Amendment, claims 1-32 and 34-40 are pending. Claims 41-43, previously withdrawn, are herein canceled. Claims 1-30 and 40 are allowed. Claims 31-32, 34-36 and 38 are amended.

Entry of this amendment and reconsideration of the claims, as amended and in view of the following remarks, is requested.

Claims 31-32 and 34-34 are amended as shown above and further discussed below. Support for these amendments is found, *inter alia*, at pages 18-19, 22 and 27 of the specification. Claim 36 is amended to correct the spelling of "catalyzed." Claim 38 is amended to correct the spelling of "comprising converting" and to change "a" to "an" before "N-Oxime." No new matter is believed to be presented by these amendments.

The Section 112 Rejections

Claims 31 and 32 remain rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, claim 31 is rejected for including the term "general" before formula III in the claim and also in view of the definition in the claim of L being a "leaving group." These rejections are overcome.

Applicants have deleted the word "general" immediately above formula III. Thus, the rejection based use of this word is overcome. With respect to the definition of L as being a leaving group, for the reasons already of record, applicants reaffirm their arguments that this rejection is legally improper and should be withdrawn. Nevertheless, to expedite issuance of the allowed compound claims, applicants have amended claim 31 to include the preferred leaving groups listed in claim 32 as is suggested by the Examiner. Claim 32 is amended to list most preferred leaving groups as described on pages 22 and 27 of the specification. The rejection of claims 31-32 under Section 112 is thus overcome.

Claims 34-39 also remain reject under 35 U.S.C. § 112, second paragraph, as being indefinite also in view of the definition in claims 34 of L and L' each for being a "leaving group." This rejection is also overcome.

For the reasons already of record, applicants reaffirm their arguments that this rejection is legally improper and should be withdrawn as the term "leaving group" is an art recognized term and need not be further defined in applicants' claims. Nevertheless, to expedite issuance of the allowed compound claims, applicants have amended claim 34 to include the preferred leaving groups for L as listed in claim 32 and for L' as listed on page 19 of the specification. Claim 35 is amended to list most preferred leaving groups as described on pages 22 and 27 of the specification. The rejection of claims 34-39 under Section 112 is thus also overcome.

For the foregoing reasons, the rejection of claims 31-32 and 34-39 under Section 112, second paragraph, is or overcome and should be withdrawn.

CONCLUSION

The foregoing amendment is fully responsive to the Final Office Action issued February 1, 2006. Applicants submit that claims 1-32 and 34-40, as amended, are allowable. Early and favorable consideration is earnestly solicited.

If the Examiner believes there are other issues that can be resolved by telephone interview, or that there are any informalities remaining in the application which may be corrected by Examiner's Amendment, a telephone call to the undersigned attorney is respectfully solicited.

Applicants believe that no fee is due with this communication. However, should the Patent Office determine that a fee is owed, or a credit is due to applicant, the Patent Office is hereby authorized to charge any required fees, including any extension of time and/or excess claim fees, or credit any overpayment, to applicant's Deposit Account 08-2525 as appropriate.

Respectfully submitted,



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